

SHRI RAMAKANT D. KHALAP: There could be a debate on this issue.

SHRI BALAI CNANDRA RAY: The reasons for arrears have not been given. It has been said that some High Courts are functioning properly and some High Courts are laggard. This is an under statement of the whole issue. Hon. Law Minister should have known that Calcutta High Court which is now disposing of cases at the rate of 79 per cent according to the Law Minister, has not for one single day during the last 12 years worked with full strength.

The average vacancy is eleven. Today, the number of vacancies is sixteen. You are expecting the High Courts to work in an efficient manner. In Allahabad High Court, the vacancy is identical. Even in Bombay High Court, the vacancies are not filled up. Only in a few High Courts, the vacancies had been filled up. I would request the hon. Minister for Law to give a detailed figure on a year to year basis regarding the number of vacancies accrued, and the number of vacancies not filled up. It is not the clerks who dispose of the cases, but it is the judges who dispose of the cases. In Calcutta High Court, so far as the rate of disposal of applications is concerned, it is 50. So far as final hearings of cases are concerned, the percentage is 5.3. This is the all-India average also. Therefore picking up some courts and blaming them is useless. Therefore, for helping this Parliament, I would request the Law Minister to answer one question. How is the Ministry of Law trying to fill up the vacancies whenever they occur? I want to know whether it will abide by Ex-Chief Justice R.S. Pathak's recommendations that the names should be forwarded six months before the vacancy occurs. Because the date on which a judge would vacate his office is known on the very day the Judge is born. Therefore, it is not difficult to recommend the names six months before the vacancies occur. Will the Ministry of Law adopt that? Will the Ministry of Law also adopt a new mode for appointments of judges. When the Government want to appoint efficient judges with the Government still adhere to the present policy of processing in secrecy? Why do not they adopt the method of open debate like USA? I want a specific answer whether the Government is going to give up the process of secrecy in appointment and adopt an open debate system and whether the Government is taking steps to complete the process of appointment six months before the appointments are actually made.

SHRI RAMAKANT D. KHALAP: This requires proper explanation of the procedure that is being followed for the purpose of appointments. As soon as I took over as the Minister for Law and Justice, I wrote to all the Chief Justices in the country requesting them to suggest the names of candidates for appointment as judges, preferably, six months in advance of the occurrence of the vacancy. Now, the procedure is that Government does not initiate any proposal. The Government do not suggest any names. The names come from Supreme Court and the High Courts. In case of the States, the names go to the Chief Ministers or the Governors. Their opinion is obtained..(Interruptions)

KUMARI MAMATA BANERJEE: Do not refer anything to the Chief Ministers.

MR. CHAIRMAN: I have not allowed you. The hon. Minister may please reply.

(Interruptions)

SHRI P.R. DASMUNSI: Kumari Mamata Banerjee is right. Do not refer anything to the Chief Minister.

SHRI RAMAKANT D. KHALAP: Sir, she wants me to take all the powers...(Interruptions)

JUSTICE GUMAN MAL LODHA: Sir, we do not want all the powers to be taken by the Minister. It would be highly unfortunate if he takes all the powers. That will be against the independence of judiciary.

MR. CHAIRMAN: I think, the hon. Minister has agreed to accept a debate on this subject.

SHRI RAMAKANT D. KHALAP: Let us have Half-an-Hour discussion.

MR. CHAIRMAN: Now, we will go to next question. Q.No. 483.

(Interruptions)

SHRIMATI GEETA MUKHERJEE: Sir, before going to the next question, I have a very important question about Family Courts. Please allow me. Sir, why are they not going ahead with setting up of Family Courts? There is a proposal to give up this proposal. Sir, you yourself wanted a discussion on this subject...(Interruptions)

MR. CHAIRMAN: It is not a dialogue. Now, I leave it to the House. There are also other important questions.

There is a Question on NTC Mills. But if you want to continue this Question, I have no objection. The hon. Minister has agreed to have the matter taken up in other form. He has also agreed for the discussion. I shall also ask them to take it up maybe under the Half-an-hour discussion on this very important subject.

(Interruptions)

MR. CHAIRMAN: Therefore, I feel the NTC Question is also very important. Therefore, I go to Question No. 483.

Dr. Bali Ram - not present.

Shri Sanat Mehta - not present.

All right, we go to Question No. 484.

#### Closure of Textile Mills

\*484 PROF. AJIT KUMAR MEHTA:

SHRI RAM BAHADUR SINGH:

Will the Minister of TEXTILES be pleased to state:

- (a) whether the Government propose to close down some sick textile mills in the country;
- (b) if so, the details thereof;
- (c) the estimated number of workers likely to become unemployed as a consequence thereof;
- (d) whether the Government have formulated any plan to rehabilitate these workers; and
- (e) if so, the details thereof?

THE MINISTER OF TEXTILES (SHRI R.L. JALAPPA):  
(a) to (e): A Statement is laid on the Table of the House.

#### Statement

(a) to (e) The Government is not contemplating to close down sick textile mills. Government has set up Board for Industrial and Financial Reconstruction (BIFR) to enquire into the working of sick industrial companies and to prepare and sanction, as appropriate, schemes for their revival. As on 31.1.97, BIFR has recommended winding up in respect of 96 cases involving 1,07,159 workers, approximately.

Although there is no scheme to provide employment to the workers of closed textile mills, Government has established Textile Workers' Rehabilitation Fund Scheme (TWRFS) to provide interim relief to the workers of permanently/partially closed mills.

In so far as Public Sector Textile Undertakings are concerned, in respect of National Textile Corporation Ltd. (NTC) the Government is considering a report prepared by the Holding Company based on an analysis of the economic viability of each of the mills. In respect of British India Corporation Ltd. (BIC) and its subsidiaries, their cases for rehabilitation are presently under consideration of the Appellate Authority for Industrial and Financial Reconstruction (AAIFR).

[Translation]

PROF. AJIT KUMAR MEHTA: Mr. Chairman, Sir, if you go through the reply of the Question, you will find that two contrary statements have been given in it. It has been stated in the first line of the first para:

[English]

"The Government is not contemplating to close down sick textile mills".

[Translation]

and see the concluding lines of the same para

[English]

"As on 31.1.97, BIFR has recommended winding up in respect of 96 cases involving 1,07,159 workers, approximately."

[Translation]

Why is the contradiction in Government reply? On the one side, it claims that it has no intention of closing down the mills and on the other hand the committee constituted by it recommends at closure of these mills. What does this contradiction mean? Does the Govt. want to adopt the policy of rendering one lakh workers on the road at the time when the unemployment is on rise?...(Interruptions)

[English]

MR. CHAIRMAN: I think, our time is very limited. I will try to accommodate as many Members as possible.

SHRI R.L. JALAPPA: The first part of his Question is like this:

"(a) whether the Government propose to close down some sick textile mills in the country;"

In the answer, I have said, "No".

Ninety six mills are before the BIFR. They are a judicial body. They have issued winding up order. That does not mean that the Government is trying to close down the sick mills.

[Translation]

PROF. AJIT KUMAR MEHTA: I am glad that the Govt. is not going to close down the mills but it should take such measures as may not lead to the closure of mills. Sir, a formula was prepared in a tripartite agreement wherein it was stated that the funds should be mobilised by selling out the surplus land of the mills and the sick mills should be revived. But this proposal was rejected by BIFR. In this situation, the Govt. requested the Union Govt. for waiving off the interest outstanding against them but the Govt. has taken no action so far in this regard. I have also come to know that the states in which these mills are situated, are putting hurdles in selling of the surplus land. Does it not mean that these State Govts. are interested in shunting out the workers of other states from their states on this pretext? What is Government's reaction in this regard?

[English]

SHRI R.L. JALAPPA: Sir, the hon. Member is referring to the Tripartite Agreement. The Tripartite Agreement was for the revival of textile mills. I had made a statement on the floor of this House explaining the difficulties as to why we could not implement this Tripartite Agreement.

It is something to have a plan and it is a difficult proposition to have it executed. There was a plan, of Rs. 2,500 crore, prepared for the modernisation scheme but the question is from where do we get this money?...(Interruptions)

[Translation]

PROF. AJIT KUMAR MEHTA: Why is the Govt. not providing?...(Interruptions) Why is the interest not being waived off?....(Interruptions)

[English]

KUMARI MAMTA BANERJEE: What happened to the Cabinet approval of 1995?...*(Interruptions)*

SHRI R.L. JALAPPA: I cannot reply to so many Members at a time...*(Interruptions)*

MR. CHAIRMAN: Hon. Members we are left with only four minutes in the Question Hour.

[Translation]

SHRI HARIN PATHAK: Mr. Chairman, Sir, I would like to ask my question directly from the hon. minister because my Parliamentary Constituency is the most affected area of India in which around 50 mills are lying closed. Ahmedabad was regarded as Manchester of India but today several mills are lying closed there. Shri G. Venkatswamy who was a Minister in the previous Govt. had stated in this House that a scheme of Rs. 2000 crore had been formulated for the rehabilitation of workers of NTC mills. I would like to ask the hon. Minister...*(Interruptions)*

[English]

SHRI P.R. DASMUNSI: Sir, no mill should be allowed to close...*(Interruptions)* We are not going to hear this...*(Interruptions)* The hon. Minister has said that he had no money...*(Interruptions)* Sir, his answer was dangerous...*(Interruptions)* He says that he has no money and that he cannot implement the package...*(Interruptions)*

MR. CHAIRMAN: Hon. Members, one at a time please.

*(Interruptions)*

MR. CHAIRMAN: Hon. Members, this is not the way to speak.

*(Interruptions)*

MR. CHAIRMAN: Will the hon. Minister answer Mr. Pathak's question.

*(Interruptions)*

SHRI P.R. DASMUNSI: Sir, if the package is not implemented the Minister must quit...*(Interruptions)*

12.00 hrs

MR. CHAIRMAN: Please sit down.

*(Interruptions)*

SHRI P.R. DASMUNSI: We do not want to compromise on this issue...*(Interruptions)*

MR. CHAIRMAN: Please sit down. Let me have the question too.

Will the hon. Minister give some assurance that the earlier decision taken by the Tripartite body be implemented?

SHRI R.L. JALAPPA: No, Sir. It is not possible...

*(Interruptions)* The earlier decision cannot be implemented...*(Interruptions)* This is not possible...*(Interruptions)*

SHRI P.R. DASMUNSI: Why can it not be implemented? It is a betrayal to the workers...*(Interruptions)*

12.00 hrs.

*(At this stage, Kumari Mamata Banerjee and some other hon. Members came and stood on the floor near the Table)*

*(Interruptions)*

12.01 hrs.

*(At this stage, Kumari Mamata Banerjee and some other hon. Members went back to their seats)*

MR. CHAIRMAN: Question Hour is over.

## WRITTEN ANSWERS TO QUESTIONS

[Translation]

### NTC Revival Plan

\*483. DR. BALIRAM:

SHRI SANAT MEHTA:

Will the Minister of TEXTILES be pleased to state:

(a) whether his Ministry has prepared yet another modernisation plan for the ailing National Textile Corporation (NTC) Mills;

(b) if so, the broad features of this fresh NTC revival package;

(c) the approximate capital outlay involved and how it is proposed to raise; and

(d) the stage at which the matter stands at present?

THE MINISTER OF TEXTILES (SHRI R.L. JALAPPA): (a) to (d): In the statement made on the floor of this House on 3.3.1997 the reasons for non-implementation of the Turn Around strategy for NTC mills approved by the Government in 1995 have been indicated. Since sale proceeds from surplus land are not available and the BIFR has not yet given its approval to the rehabilitation package, the NTC (Holding Company) have submitted a report after reviewing the economic viability of each of the mills by taking into consideration the concessions approved by the Government in 1995 and the concept of net worth becoming positive as per the BIFR norms. This report is presently under consideration of the Government. No final decision has yet been taken. The salient features of the revised Turn Around Strategy would be laid on the Table of the House as and when finalised.